

WASHINGTON

The Forty-First Congress Again in Session.

SCENES ON REASSEMBLING.

Credentials of the Virginia Senators Submitted by Secretary Fish.

A Crusade Against the Supreme Court in the Senate.

Reception of the President's Message in the Two Houses.

Proposed International Regulation of Ocean Cables.

WASHINGTON, Dec. 6, 1869. Reopening of Congress—The President's Message—Senatorial Criticisms—Dissatisfaction with the President's Allusions to Cuba.

The meeting of Congress to-day was marked by no extraordinary features. In both houses the proceedings were confined almost strictly to the ordinary routine of business at the commencement of a session, and were not for the presentation of President Grant's first message, for which everybody here, and in fact the whole country, was looking with the greatest interest and anxiety, the reopening to-day would have been fearfully dull. The galleries were crowded, but the floor whereon the legislators were gathered in tolerably full numbers was unproductive of a solitary sensation worth noticing. Senators and members greeted each other warmly, cracked their jokes, received the congratulations of their friends, talked over past and future events and then subsided, waiting apparently for the President's message or something else to turn up which would afford them the proper cause of action. In the Senate there was an assemblage which made up a brilliancy what it lacked in numbers. The galleries were well filled with some of the capital and the wives and daughters of the "potent, grave and revered sages." The diplomatic box was graced by Mr. Thornton, the Irish Minister; Mr. Knapp, Russian Secretary of the Turkish Legation; Señor Radetzky of the Brazilian Legation; young Bodisco and a few other gentlemen. Mr. Thornton watched the proceedings with a good deal of interest, and paid essential attention while the message was being read. That part bearing upon our relations with Great Britain and other European governments caused Mr. Thornton to lean forward as far as politeness would permit, in order not to lose a word of it, but whether Mr. Thornton felt disappointment or satisfaction could not be gathered from his countenance. Among Senators themselves the message as a whole was received with satisfaction. They spoke of the document as very creditable to the Executive in general, and to the President in particular, though he regarded some points which he did not hesitate to express their dissent. The disposition to criticize was manifested particularly in regard to his views about Cuba and the financial question. On the latter question a majority evidently endorsed him in the main, but there was some dissatisfaction felt that he did not make more satisfactory allusions and suggestions respecting the Cuban revolution. The allusion to the Commissioner of Internal Revenue and the raising of his pay and position to a standard commensurate with the onerous duties of that official is known to be a desire on the part of the President to elevate that official to a Cabinet minister. The President believes that the Internal Revenue Commissioner discharges duties of such a high order, and that his office is likely to be needed for such a protracted period—twenty or thirty years longer—that it is only a simple act of justice to give him a salary which will be in some measure remunerative. It requires a man of first class ability, one of large views and extensive business experience, and if such a man is expected to give his whole attention to the office he ought to be paid for his services, both with a substantial salary and official honor, such as would attach to a member of the President's Cabinet. From what can be gathered in conversation with Senators and Representatives it is not likely that this recommendation of the President will receive favorable consideration. Last session an effort was made to erect the Indian Bureau, Land Office, Agricultural Bureau and Pension Office into one large consolidated department, with its head in the Cabinet as an additional member, but it failed signally, and it is believed that Congress will not look with any more favor upon the proposition to make the Internal Revenue Commissioner a Cabinet officer. I may add, also, that Senators generally do not seem to endorse the proposed abolition of the Civil Tenure Act. Their opposition seems not to spring so much from a desire to continue their immense control over the executive patronage as from an aversion to go back, as the saying is, upon their frequently recorded views. To abolish civil tenure, they say, "would be to eat up our own words, and we don't feel disposed to do that. President Grant need have no fear that he will embarrass him in the least, but we think he may as well let civil tenure alone, at least for the present." Senator Sumner and his friends consider the President in his message has endorsed the Republican measures, and they are intensely delighted over it.

Views of President Representative—Radical Position on Reconstruction—Tenure of Office Bill—Republicans Disappointed.

At an early hour this morning the President was in his office, with his secretaries, again reviewing his message. Before twelve o'clock the document was entirely ready, and the President himself awaited an official notification of the meeting of the two houses of Congress. Shortly before one o'clock the Joint Committee, consisting of Messrs. Wilson and Thurman, on the part of the Senate, and Messrs. Schenck, Dawes and Woodward on the part of the House of Representatives, were immediately shown into the President's office. After they had formally announced the object of their visit both parties engaged in a brief conversation. The President observed that he had been up until four o'clock this morning deliberating upon the message to see whether he had forgotten anything. After five minutes delay the committee left on their return to the Capitol. As soon as the committee had gone General Porter, Secretary to the President, left also for the Capitol with the message and a large number of appointments.

The message was received in the House at a quarter to two o'clock, and was immediately read by the Clerk, the reading occupying exactly three-quarters of an hour. As the members were not supplied with printed copies, and as the great mass of them were entirely ignorant of its contents, they gave the closest attention to the reading. It may be safely stated no Presidential message has been intended to win so much interest by the House of Representatives for many years. When that portion of the document was reached which recommended that an act be passed authorizing the Governor of Georgia to convene the members originally elected to the Legislature, requiring each member to take the oath prescribed by the reconstruction act, and none to be admitted who were ineligible under the third clause of the fourteenth amendment, some one on the floor said, "Well, that's radical enough," and immediately there was a burst of applause on the Republican side, followed by hisses on the Democratic side. The demonstration, which was of a

momentary character, was suppressed by the Speaker, who brought down his gavel with great force upon his desk. The recommendations about the finances were received with varied feelings, according as they seemed to square with the preconceived opinions of the members. The Western men were evidently disappointed at the President favoring what they regarded as a contraction policy, while the Eastern members nodded assent. The plan proposed for a resumption of specie payments seemed to particularly please General Garfield, who looked around among his colleagues as much as to say, "That's my plan." It will be observed that the President's ideas on this subject are substantially those set forth by General Garfield in his interview with your correspondent a week ago. A cloud seemed to come over the face of Coburn, of Indiana, and some others who are in favor of inflation, the currency, and were getting further away from specie payments. "Here comes Cuba," whispered several members to each other as the Clerk read the sentence—"As the United States is the freest of all nations, so, too, its people sympathize with all peoples struggling for liberty and self-government." But there was a good deal of disappointment in the House, as well as in the Senate, at what followed on this subject, for in the House there is a strong sentiment, no doubt inspired by the people, in favor of recognizing the Cubans as belligerents. Of course the announcement that the question of renewing a treaty for reciprocal trade between the United States and the British provinces has not been favorably considered by the administration, was particularly welcome to the Pennsylvania and some of the New England members. Kelley looked around and nodded his head approvingly at John Corvode who sat behind him, while Negley, from the Pittsburgh district, smiled good naturedly at some of his Pennsylvania colleagues near him. "That brains the Canadian lobby," was the general remark among the anti-reciprocity members. The recommendation for the repeal of the Tenure of Office act created some amusement, especially among the Democrats, who seemed to think it a good joke at the expense of the Republicans. Ben Butler moved around rather uneasily in his seat when this part of the message was read, and Judge Woodward, of Pennsylvania, winked knowingly at Bingham, who sits near him, as if he would say, "There's consistency for you. What do you impeach Sumner for thinking of that?" The general opinion of the Republicans seems to be that the part of the message had better have been omitted. As many of them are on record as having made elaborate legal arguments on the constitutionality of this law, they are at a loss to know how they can go back and repeat it. The suggestion that the salaries of certain government officials be increased, was another point in the message that provoked a smile, especially the statement that Congress has on several occasions increased the compensation of its own members. Some malicious member suggested that probably that part of the message had been dictated by Attorney General Hoar in anticipation of his going upon the bench of Supreme Court. The general opinion of the members of both parties is that taken as a whole the message is creditable to the President, though of course some of its recommendations do not meet the approval of either Republicans or Democrats.

Republican Caucus.

The Republican Senators after adjournment to-day held a brief caucus, the business transacted being the appointment of a committee to report on filling vacancies in standing committees caused by the death of Mr. Fessenden and the resignation of Mr. Grimes.

The Philadelphia Position for Cuba.

Senator Cameron appeared as the champion of the Cubans in the Senate to-day. He presented the petition of the Philadelphians, asking the recognition of the Cubans, which was ordered to lie on the table. The petition, containing over 30,000 names, was wound around a large reel, which was carried from the Senate Chamber to the Clerk's office by one of the pages, amid some merriment.

Ocean Telegraph Cables.

The President to-day sent to the Senate a message, enclosing the correspondence relative to ocean cables, from Minister Washburne, dated Paris, October 5. The Interior Secretary Fish, that the French Government receives favorably the proposition to conclude a telegraphic convention between France and the United States. On the 23d of November Secretary Fish transmitted to all our Ministers abroad a letter, in which he says the President desires to conclude a convention on the basis of security of cable lines in time of peace or war against willful or wanton destruction or injury by declaring that such acts shall be deemed acts of piracy and so punished; also to make suitable provisions to encourage the future construction of ocean lines, and that thereafter no exclusive concessions shall be made without the joint action of the two governments whose shores are to be connected. The scrutiny of messages by government officials in favor of the power conferred either end of the cause in the opinion of the President, calculated to lead to trouble; therefore he proposes to have provision against it. The President desires that the representatives at Washington of Great Britain, France, Portugal, Spain, Italy, North Germany, Austria, Russia, Belgium, Holland, Sweden and Norway, Denmark, Turkey, Greece, Venezuela, Brazil, Argentine Confederation, Colombia, Bolivia, Peru, Ecuador, Mexico and Chile may be empowered to enter jointly and severally into negotiations with the United States and each other with a view of concluding a joint convention for the purpose of establishing cable lines between the United States and those countries. It will be understood, however, that this project is submitted simply as a basis for future discussion should the leading Powers concur with the United States in considering the subject one for international consideration and justification.

Restoring the Appellate Jurisdiction of the Supreme Court—A Sweeping Change Proposed.

So much in regard to the message; now as to other features of the Senate proceedings. From the indications exhibited to-day it is evident that the action of the Supreme Court in the Yerger case will result in the abridgement of some of the powers it has heretofore enjoyed and in the curtailing of its appellate jurisdiction. There is a manifest distrust of the court upon the part of several prominent Republicans in Congress, and as it cannot very well be reconstructed or abolished they think the next best thing to do is to curb it as much as possible. Two bills were introduced in the Senate to-day for this purpose, one by Sumner and another by Drake. Sumner's bill, which is believed to have been inspired if not drawn by the Attorney General, simply takes away from the court its appellate jurisdiction in proceedings commenced by a writ of habeas corpus. It appears that there is a case expected to come up in the Supreme Court at an early day somewhat similar to the Yerger case. This is the immediate object of Mr. Sumner's bill, or rather, it is intended to meet this case, and he intends to urge speedy action on it by the Committee on the Judiciary, to whom the bill was referred. Drake's bill is of a more sweeping character, and goes further than even such a man as Sumner are disposed to go. Mr. Drake's idea is that, as the United States inferior courts were created by Congress, they have no power to pass upon or decide whether the laws enacted by that body are constitutional or unconstitutional. They have no business, he thinks, to have any opinions on that subject, and his bill prohibits the Supreme Court from entertaining appeals from such inferior courts involving the validity of Congressional legislation. Drake says his bill strikes at the root of what he deems the unwarranted interference of the Supreme Court in matters pertaining only to the legislative branch of the government, while Sumner's is merely intended to meet one of the many cases likely to be brought before the court, and the jurisdiction is left undisturbed. It is not thought that the Judiciary Committee will report favorably on Drake's bill, because it is regarded as an attempt to break down the Judiciary and to take away from the Supreme Court all power to review the action of Congress. Drake is preparing a strong speech in defense of his bill.

Reconstruction of Georgia.

It is claimed that the effect of Senator Morton's bill for the reconstruction of Georgia, if it becomes a law, will secure the ratification of the Fifteenth amendment to the constitution of the United States; and it is said that a careful count shows that the vote of Georgia makes the requisite number. It is the intention of Mr. Morton to urge his bill next Wednesday, when that reported by Senator Edmunds last session will be taken up as a special order.

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The New Census Bill.

As regards the schedules contained in Garfield's new census bill I am informed that while they will not materially increase the labor of gathering statistics they will contain one additional under which very strong and mercantile interests in the United States; second, statistics respecting the mining and (under) industries and capital of the country; third, statistics giving a full exhibit of the internal transportation of the country, such as those by railroads, canals, river navigation and other modes, with the amount of capital employed therein, the number of passengers, rates of transportation and total cost; fourth, statistics in regard to the charitable and reformatory institutions of the country, as almshouses and hospitals, their inmates and expense of supporting them, as well as the amount of money invested in such institutions. These four branches were not, it is said, included under any former census. The committee have carefully revised all the old schedules, dropping out the slave schedule and enlarging the general scope of the others, and the bill is expected to be introduced by Garfield before the entire subject the closest attention and his recommendations will be received with respect and careful consideration.

Address to the People of Liberia.

The National Executive Committee of Colored Men of the United States, through their chairman, Rev. Selia Martin, have prepared an address to the people of the republic of Liberia. The address urges the abolition of all proscriptive features in the national laws of Liberia; that they believe that the emancipation and enfranchisement of the black race will result in great good to Africa and especially to Liberia; requests the people of Liberia to influence their Congress to initiate measures so as to alter the constitution and laws by striking out the word white, so as to put the republic of Liberia in accord with the laws of the United States and those of all other free countries whose constitutional restrictions which have the effect to create prejudice against the color have been abolished. The address is signed by George T. Downing, the President of the Board, and F. G. Barbados, secretary, and a committee of representatives from every State and Territory in the Union.

United States Supreme Court.

The Supreme Court met at twelve o'clock, and the Chief Justice announced that the regular cases on the docket would proceed to-morrow, commencing with Nos. 95, 12 and 17, cases which had been advanced and assigned for hearing on the first day of the term. It was also announced that the court would meet hereafter at eleven o'clock. According to the usual custom, on the first day of the term, the court then adjourned until the following Monday, when the clerk, marshal, reporter and the Attorney General, proceeded to call on the President.

Appointments Sent to the Senate.

The President to-day sent to the Senate a large number of appointments for confirmation, made by him during the recess.

Supervisor Appointed.

General R. B. Cowen has been appointed Supervisor of Internal Revenue for California, Utah, Arizona and Nevada, vice Ball, resigned.

Cattle Disease in Europe.

The following circular letter was to-day sent to collectors of customs at all the principal ports of the United States:—

Sir—The department is advised that a contagious disease, known as "the cattle plague," is now prevalent in Europe, and as it is of the utmost importance that the introduction of this disease into the United States be prevented, it is hereby ordered that no animal brought into your port from England or from the Continent of Europe, or from any other foreign port, shall be admitted until it has been examined by a government inspector or other expert and pronounced free from disease; and that no such disease prevails in that country from whence exported. All regulations and orders in relation to the importation of animals with these instructions are hereby rescinded. I may also add that under date of the 29th of October last the Secretary of State was requested by this department to instruct consular officers not to give certificates to persons applying cattle to the United States except in cases where the animals have been examined by a government inspector or other expert and pronounced free from disease; and that the certificates so issued shall be subject to the order of the Secretary of State. I am, very respectfully, GEORGE S. BOUTWELL, Secretary of the Treasury.

Forty-First Congress.

Second Session.

SENATE.

WASHINGTON, Dec. 6, 1869.

OPENING PRAYER BY THE CHAPLAIN.

At twelve o'clock punctually the Senate met, the session was opened by prayer by Rev. Dr. Newman, Chaplain of the Senate, who supplicated divine blessings upon the different departments of the government, upon the President of the United States in his private and public capacity, and upon each individual member of the Senate, referring to the death of Senator Fessenden, he deplored the loss of one to whom had been conferred much honor; and those lips, wise in counsel and eloquent in utterance, had been sealed in death, and the place which knew the lamented statesman would know him no more forever. He expressed the hope that the absence thus occasioned might be a perpetual reminder to the brother Senators of the deceased, who knew him so well, of their own mortality.

SENATE CALLED TO ORDER.

The President of the Senate, Vice President, CALFAX in the chair, called the Senate to order, and said the time fixed by law for the opening of the second session of the Forty-first Congress having arrived the Secretary will call the roll to ascertain whether a quorum is present.

The roll of members being called, fifty-five were ascertained to be present, and the Senate proceeded to business.

CREDENTIALS PRESENTED.

Mr. HAMLEN (rep. of Me.) presented the credentials of his colleagues, Lot M. Torrey, as senator from the State of Maine, and John W. Johnson, as senator from the State of Iowa, both appointed by the Governor of that State to fill the vacancy occasioned by the death of William Pitt Fessenden, of that State.

The credentials were read, when Mr. MORRIS, by request of the CHAIR, presented himself, and took the usual oath of office.

The CHAIR then called upon Senator GRIMES.

Mr. GRIMES, in reply, said that he would communicate with the Senate forthwith. Subsequently the message of the President of the United States was delivered to the Senate by his secretary.

The message was read by the Secretary of the Senate, Mr. CORTLAND.

On motion of Mr. EDWARDS (rep. of N. Y.), the Senate adjourned until to-morrow.

REPORTS OF DEPARTMENTS.

The CHAIRMAN called the Senate to order, and the reports of the departments were read.

On motion of Mr. CONYNGHAM, Senate went into executive session and soon after adjourned.

HOUSE OF REPRESENTATIVES.

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The House was called to order by the Speaker at noon, when the proceedings were opened with prayer by the Chaplain. The roll of members was then called, by States, by the Clerk. A large majority answered to their names. The roll having been completed the speaker announced that there were 180 members present.

MEMBERS SWORN IN.

Mr. BROOKS (dem. of N. Y.), presented, as a question of privilege, the credentials of S. S. Cox, member from New York.

The speaker stated that there were several gentlemen present, including Messrs. Cox, of New York; Bauman, of Connecticut; Brooks, of Massachusetts; and the members elect from Alabama, who had not been sworn in, and he invited all of them whose right to seats was unchallenged, to present themselves and take the oath at the same time.

Mr. FAINE (rep. of Wis.), suggested that perhaps the best policy would be to take a formal reading of the credentials of all those members who were credited to the House.

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In any case now pending or hereafter brought before it to affirm any order, judgment or decree of any inferior United States court or of any State court which shall be in violation of the provisions of any act of Congress, or of any treaty, or of any other law, or of any constitution, or of any ordinance, or of any decree, or of any order, judgment or decree shall for that cause be rejected.

Mr. DRANE said the bill was the result of a projected investigation, on his part, of a grave constitutional question, and he desired, before the bill went into committee, to address the Senate in support of it. The bill was read a second time, when his further consideration was postponed until Monday.

MR. WILLIAMS (rep. of Oregon), introduced several bills in regard to improvements in the State of Oregon, among others one to aid in the construction of a telegraph line from Columbia river to Great Salt Lake, and another to regulate the trade in furs and pelts.

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MR. DRANE said the bill was the result of a projected investigation, on his part, of a grave constitutional question, and he desired, before the bill went into committee, to address the Senate in support of it. The bill was read a second time, when his further consideration was postponed until Monday.